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A Legal Education for the Administrative State: Dean James M. Landis in the History of American Legal Education

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Title: A Legal Education for the Administrative State: Dean James M. Landis in the History of American Legal Education

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Beginning in the 1920s and 1930s, C. C. Langdell's traditional model of legal education – a closed system of abstract concepts, judicial decisions and private law – faced substantial challenge from the rise of the administrative state. James M. Landis, Dean of Harvard Law School from 1937 to 1946, quietly responded to that challenge with a program to develop deep legal expertise and a greater understanding of public law. As an architect of the New Deal, Landis saw the role of the lawyer as an expert in legal skills who worked in conjunction with other specialized professions. In contrast to sociological jurisprudence and legal realism, which encouraged a widening of the lawyer's knowledge to non-legal fields such as economics, sociology and engineering, Landis' response to the rise of non-legal professions was to counsel a narrowing of the lawyer's role to what lawyers do best.

In enacting reforms at Harvard Law School, Landis sought to realize a legal education better tuned to the problems facing a legal expert working within the administrative state, whether as a public servant or a private advocate. He moved to create a seamless seven-year program of college and law school, such that law students might better appreciate the problems of non-legal fields. He pushed his students into the technical details of public law, shifting from Felix Frankfurter's constitutional preoccupation to a more practical course – yet he also mandated that each student fashion his own thought through a third-year paper, aiming to produce lawyers with a fuller purpose than mere practice. Landis exhorted his students to live by the honor of the law, and to seek those demands which a lawyer, and no one else, could fill.

Landis did not stay for long as Dean, but during his tenure he offered an alternative to a legal education filled with non-legal study and committed to creating jacks of all trades. To Landis, the lawyer was a leader but also a servant, tasked with giving legal effect to the prescriptions of other expertise. In a modern age of far-reaching courts and legal dominance, this more modest conception of the lawyer's charge, and the educational model envisioned to instill it, is worth remembering.

Keywords: Legal education, legal history, sociological jurisprudence, legal realism, administrative state, legal expertise, comparative expertise, James M. Landis, Harvard Law School